

# **EXHIBIT 9**

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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF CALIFORNIA

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DONACA, )  
Plaintiff, )  
vs. ) No. 11-cv-02910-RBJ  
DISH NETWORK, LLC, )  
Defendant. )  
-----)

VIDEOTAPED DEPOSITION OF BAHAR TEHRANCHI  
Irvine, California  
Monday, August 26, 2013  
Volume I

Reported by:  
CAROL JEAN ZURBORG  
CSR No. 7921  
JOB No. 1708235A  
  
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1                   Q     So in connection with this case, Five9's  
2     produced a series of call logs from the Satellite  
3     Systems Network account that I want to discuss with  
4     you.

5	Can we go off the record, Eric?	10:54:02
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6 MR. ZALUD: Sure.

7 THE VIDEOGRAPHER: We are off the record  
8 at 10:54.

9 (Discussion Off the Record.)

10 THE VIDEOGRAPHER: We are on the record 10:57:22  
11 at 10:57.

12 BY MR. PARONICH:

13 Q So, Ms. Tehranchi, as I mentioned, this  
14 is a document that Five9 has produced in connection  
15 with this case. It is entitled "Satellite Systems 10:57:28  
16 Network 2010-20100501-20100531."

17 And just to clarify, Satellite Systems  
18 Network was using Five9 in 2010, correct?

19                   A     That's correct.

20 Q So my first question relates to column 10:57:51

21 D, which is labeled "ANI."

22	A Uh-huh.
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23 Q Is that SSN's (800) number that we were  
24 just discussing?

25	A Yes.	10:58:03
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1 Q And that is (800) 375-8211?

2 A That's correct.

3 Q So does Satellite Systems Network  
4 purchase or lease that number from a company?

5 A No, it's our number. 10:58:14

6 Q And how did -- I'm just interested in  
7 how did Satellite Systems Network acquire that  
8 number?

9 A We actually -- we have an IT person.  
10 He -- he got the numbers for us. 10:58:26

11 Q Right. And so he set all that up?

12 A Yes.

13 Q And how long has Satellite Systems  
14 Network used this same (800) number?

15 A From what I recall, I think six, seven 10:58:37  
16 years.

17 Q Okay. And do they still use it today?

18 A Yes.

19 Q So I am going to navigate this hopefully  
20 successfully. We will be going to 69918. 10:59:01

21 So in that same column D, there's now  
22 the number (949) 241-8026.

23 A Uh-huh.

24 Q Was that -- excuse me. Was that a -- is  
25 that also a Satellite Systems Network number? 11:00:26

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1 A Yes.

2 Q Okay. And is it similar to the (800)  
3 number, where the IT individual secured that --

4 A Yes.

5 Q -- as another number? 11:00:34

6 And is that -- do you recall how long  
7 Satellite Systems Network has used that number?

8 A The same, I think, six, seven years.

9 Q Okay.

10 A Yeah. 11:00:43

11 Q And do they still use it today?

12 A Yes.

13 Q Okay. So in this -- on 6 -- 69918, in  
14 column F it says "Charter," and -- under "Campaign."

15 Can you explain what the Charter campaign was? 11:00:59

16 A I -- I believe that was I purchased data  
17 for cable company Charter, because they were  
18 charging a lot more, and DISH was much better in  
19 pricing.

20 Q Right. 11:01:18

21 A So that was the data.

22 Q I see.

23 And so when you say you purchased  
24 Charter data, do you mean current customers of  
25 Charter to try to get them to switch to DISH?

11:01:25

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1           A    I think from Mr. Mills maybe twice or  
2 three times.

3           Q    So we know this one was for \$2500.

4           A    Yes.

5           Q    Do you recall how much the other ones       11:17:46  
6 were for?

7           A    I believe maybe like once for 3,000.

8           Q    And then maybe there was another one,  
9 but it would have been around that same year?

10          A    Around the same year.                       11:18:01

11          Q    What -- so what did Satellite Systems  
12 Network do with the money?

13          A    Well, we asked for inbound calls, to do  
14 inbound.

15          Q    Okay. Do you recall who Satellite       11:18:16  
16 Systems used for inbound?

17          A    Yes.

18          Q    Who?

19          A    Exclaim Marketing.

20          Q    And could you explain to me how the       11:18:25  
21 Exclaim Marketing inbound calls would work?

22          A    Well, they had ads on the radio  
23 nationwide, and they would get the calls and send it  
24 to our number, to our office.

25          Q    Okay. And then did Satellite Systems       11:18:40

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1 Network give Exclaim like some kind of parameters,  
2 "These are the kind" -- excuse me, "These are the  
3 kind of prospects we're looking for"?

4 A No.

5 Q Okay. So they -- so I'm just confused 11:18:52  
6 as you do the radio marketing.

7 A I didn't do it. Exclaim Marketing was  
8 doing the radio marketing.

9 Q Okay. Yeah. So what I am trying to  
10 figure out is Exclaim does the marketing. I'm 11:19:03  
11 interested; I call. What does Exclaim ask me?

12 A Exclaim talks about satellite --

13 Q Uh-huh.

14 A -- and then sends the call to us.

15 Q Okay. And so was Exclaim just making 11:19:13  
16 sure the individual was interested in satellite  
17 television?

18 A Yes.

19 Q And then Satellite Systems tries to  
20 close the sale? 11:19:22

21 A Yes.

22 Q Okay. Does -- does Satellite Systems  
23 still do any inbound?

24 A No.

25 Q Okay. Were all the checks that 11:19:35

1 Mr. Mills for support, or was that something  
2 Satellite Systems Network came up with?

3 A She said that "We might be able to give  
4 you support."

5 Q So just a moment ago you mentioned that 11:20:54  
6 Satellite Systems Network was doing outbound, and  
7 you said using customers -- companies DISH Network  
8 told you about. Can you explain that?

9 A Like we -- like there are companies that  
10 they allow you to buy data from. 11:21:08

11 Q I see.

12 And those are the companies that  
13 Satellite Systems Network bought data from?

14 A Yes.

15 Q And we talked about Jeff Rogers earlier. 11:21:16  
16 Was he one of them?

17 A No.

18 Q Okay. What were the companies that --

19 A I think, from what I recall, like  
20 Consumer Base is one of them that I bought data 11:21:25  
21 from.

22 Q Is Red Rhino one of them?

23 A Red Rhino is inbound that I worked with.

24 Q Okay. Did Red Rhino do the same as --  
25 same thing as Exclaim? 11:21:38

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1           A    Yes.

2           MR. PARONICH:  134 please.

3           THE REPORTER:  It will be 135.

4           MR. PARONICH:  It's 135?  Okay.

5           (Deposition Exhibit 135 was marked for     11:22:03  
6           identification by the court reporter.)

7           MR. SAMINI:  Can we go off the record  
8           for a second?

9           MR. PARONICH:  Sure.

10          THE VIDEOGRAPHER:  We are off the record 11:22:20  
11          at 11:22.

12          (Discussion Off the Record.)

13          THE VIDEOGRAPHER:  We are on the record  
14          at 11:22.

15          BY MR. PARONICH:                                     11:22:48

16                 Q    Okay.  Ms. Tehranchi, this document  
17                 that's been marked as Exhibit 135 is a subpoena that  
18                 was served on Satellite Systems Network in  
19                 connection with this case.

20                 Did Satellite Systems Network gather         11:22:59  
21                 documents after receiving the subpoena?

22                 A    Yes.

23                 Q    And did Satellite Systems Network  
24                 produce those documents to its attorney?

25                 A    Yes.   11:23:10

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